

## § 26.15

MSHA may conduct such public demonstrations and tests of the approved system as it sees fit. The conduct of all investigations, tests, and demonstrations shall be under the sole direction and control of MSHA, and any other persons shall be present only as observers. MSHA shall hold as confidential and shall not disclose the results of chemical analyses of material or the contents of the application and its accompanying drawings, specifications, and related material.

[Sched. 29A, 23 FR 9479, Dec. 6, 1958, as amended at 39 FR 24002, June 28, 1974]

### **§26.15 Certificate of approval for permissibility.**

(a) Upon completion of investigation of a lighting system, MSHA will issue to the applicant either a certificate of approval for permissibility or a written notice of disapproval, as the case may require. If a certificate of approval for permissibility is issued, no test data or detailed results of tests will accompany it. If a notice of disapproval is issued, it will be accompanied by details of the defects, with a view to possible correction. MSHA will hold as confidential results of tests that terminate in a notice of disapproval.

(b) A certificate of approval for permissibility will be accompanied by a list of the drawings and specifications covering the details of design and construction of the lighting system upon which the certificate is based, and with the official approval number marked thereon. Applicants shall keep exact duplicates of the drawings and specifications that have been submitted to MSHA and that relate to any system which has received a certificate of approval, and these are to be adhered to exactly in production of the approved system for commercial purposes.

### **§26.16 Certification of components.**

(a) Upon completion of investigation of a component intended for use in a permissible lighting system, MSHA will issue a letter of certification to the applicant, or a written notice of disapproval, as the case may require. If a letter of certification is issued, no test data or detailed results of tests will accompany it. If a notice of disapproval is issued, it will be accom-

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panied by details of the defects, with a view to possible correction. MSHA will hold as confidential results of tests that terminate in a notice of disapproval.

(b) Letters certifying components may be cited to manufacturers or assemblers of permissible lighting systems as evidence that further inspection and tests of the components will not be required, provided they are constructed strictly in accordance with the specifications on file with MSHA. Such letters will specify a MSHA file number to be used in marketing a certified component, as indicated in paragraph (a) of §26.18. Since MSHA does not issue certificates of approval for permissibility except as applying to complete lighting systems, no person shall advertise or label components in a manner indicating that such components are certified as approved for permissibility by MSHA. Certified components may be advertised as suitable for application in permissible lighting systems.

### **§26.17 Approval plate for permissible lighting systems.**

(a) A certificate of approval for permissibility will be accompanied by a photograph of a design for an approval plate, bearing the emblem of the Mine Safety and Health Administration, space for the approval number, the type, the serial number, the class of device to which the approval relates, and the name of the applicant. When deemed necessary by MSHA, an appropriate statement of the precautions to be observed in maintaining the system in an approved condition shall be added.

(b) The applicant shall reproduce the design either as a separate plate or by stamping or molding it in some suitable place on each lighting fixture of a certified system. The size, type, method of attaching and location of approval plates are subject to the approval of MSHA. The method of affixing the plate shall not impair the explosion-proof or explosion-resistant features of any enclosure.

(c) The approval plate identifies the lighting system as permissible, and is the applicant's guarantee that the system complies with the specifications